

AO-91 (Rev. 8/01) Criminal Complaint

United States District Court
Southern District of Texas
FILED

MAR 21 2015

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Case Number: M-15-0426-MFernando ACOSTA Jr.
YOB: 1991
U.S. Citizen

I, the undersigned complainant state that the following is true and correct to the best of my

Knowledge and belief. On or about March 21, 2015 in Hidalgo County, in
(Date)
the Southern District of Texas Defendant(s) did,

Knowingly and intentionally possess with intent to distribute approximately 7.54 kilograms of Methamphetamine, a Schedule II controlled substance, and did knowingly and intentionally conspire to possess with intent to distribute approximately 7.54 kilograms of Methamphetamine, a Schedule II controlled substance.

in violation of Title 21 United States Code, Section(s) 841(a)(1), 846, and 952.I further state that I am a(n) Special Agent And that this complaint is based on the
Official Title

following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Signature of Complainant

Jason T. Jupe, HSI Special Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

Date

March 21, 2015

At

City and State

McAllen, Texas

U.S. Magistrate Judge, Peter Orsmbly

Name and Title of Judicial Officer

Signature of Judicial Officer

Attachment "A"

On March 21, 2015, U.S. Customs and Border Protections Officers (CBPOs) at the Hidalgo, Texas, Port of Entry (POE) referred Fernando ACOSTA Jr. to secondary inspection as he attempted to make entry into the U.S. in a minivan registered to himself. During an X-Ray inspection of the vehicle, CBPOs discovered an anomaly beneath the dash area of the minivan. A subsequent probe of this area revealed a man-made compartment that contained several bricks a crystallized substance that field tested positive for methamphetamine. The total weight of the bricks was 7.54 kilograms.

HSI Special Agents responded to the POE to interview ACOSTA, who waived his Miranda Rights both orally and in writing by signing a pre-printed form in the Spanish language. ACOSTA stated that vehicle was purchased for him by another individual, who wanted ACOSTA to establish a crossing history in the vehicle. This individual would pay ACOSTA to drive the minivan from Mexico to Houston, Texas, or San Antonio, Texas, and back to Mexico. At his destination in the U.S., ACOSTA would give the vehicle to another individual who would take it and bring it back to ACOSTA a while later.

ACOSTA subsequently stated that, on this trip to San Antonio, he thought he was taking liquid methamphetamine. ACOSTA stated that he suspected he transported drugs into the U.S. in his minivan before, because the individual who bought the vehicle for him would always borrow it the night before he would instruct ACOSTA to cross into the U.S.

The United States Attorney's Office in McAllen accepted federal prosecution on ACOSTA.